

Kentucky Gazette.

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[PER ANNUM, SPECIES IN ADVANCE]

NEW SERIES—No. 2.—Vol. 3.

LEXINGTON, Ky. FRIDAY EVENING, JANUARY 13, 1876

[Vol. XL.]

Kentucky Legislature.

HOUSE OF REPRESENTATIVES.

Wednesday, Dec. 14.

Mr. Turner submitted the following report:
The committee raised to enquire whether any, and if any what, military preparations have been made to prevent the house of Representatives or any of its committees, or any of the courts of justice, from the discharge of their legitimate functions, have, according to order, made such enquiry and submit for the consideration of the house the following report.

Under an act of assembly of last session of the legislature, purporting to repeal the law organizing the court of appeals, the governor appointed four individuals judges of said court, who assumed the powers of judges, appointed F. P. Blair their clerk, and proceeded to act as a court.

That the judges heretofore in office denied the validity of said law so far as it went to vacate their office and relied on the provisions of the constitution securing to them their offices until removed by impeachment or address.

The newly organized tribunal contended for the validity of said act, and made an order directing the papers and records of the court to be taken from the clerk of the old court by force, which was accordingly done.

The citizens of the state being greatly divided in opinion on the question of the validity of the said act of assembly, the old court and those who sustained its pretensions determined neither to resist the captain of the papers and records nor to attempt to retake them by force, but to appeal to the good sense of the people for the protection of the constitution and the independence of the supreme judiciary.

An appeal was accordingly made in which appeal the new court and its friends joined.

So far, to the credit of both parties, it appeared this dispute was to be settled by reason and not by force. Each party expressed an entire determination to submit to the decision of the people.

The election resulted in favour of the old court, and for a time delusive hope was entertained that, faithful to the pledge of abiding the decision of the people, the new court and its friends would end the unprofitable contest; that we should again be one people, and that in future the wisdom and energies of the state would be directed to the advancement of those great objects of state concern which are occupying the attention of our sister states.

Before the commencement of the present session of the legislature there were some circumstances occurred which diminished the confidence entertained that the contest was at an end;—yet all looked forward with anxious care to the message of the governor for information of a conclusive character.

It is true a large portion of the community had ceased to look to that branch of the government, with any confident hope of receiving what we should naturally look for from the father of his people.

The message when it came was a bitter pill to sixty-two hundredths of the people. It proposed a compromise, the terms of which were to yield the great constitutional question which they had settled in favour of the old court, and if this were not done, the reorganizing law and the new court were to be supported, & the old court was threatened to be re-elected by force through scenes yet untried.

A committee was raised in this house to ascertain and report the obstacles in the way of the court of appeals in the discharge of its duties—with powers to send for persons and papers.—That committee reported some of the above facts, upon which report a resolution was passed declaring that the judges in office before the passage of said act of assembly were yet the only constitutional judges, and that they had the power and ought to exercise it of taking their papers from F. P. Blair.

Said judges accordingly entered up an order on the 7th inst, directing their sergeant to take said papers and records and deliver them over to their clerk.

Your committee would state that the foregoing history of the judicial contest was necessary to make the facts embraced in the order directing their inquiry intelligible, of which they now submit a condensed statement; also, the depositions taken, which are made a part of this report.

It appears to proof that George M. Bibb, Esq., has a law office in the town of Frankfort, in which office there are several rooms. That said office is immediately fronting the chamber heretofore occupied during this session by the H. R. and about one hundred yards distant therefrom. Said Bibb's office is between the room where the old court held its late session and the office of F. P. Blair and about sixty yards distant from the latter. Edward B. Bibb is the son of George M. Bibb, is an attorney at law, and commands a company of militia. The company is furnished with muskets from the public arsenal. That Capt. Edward B. Bibb occasionally occupies one of the back rooms in his father's office, and in which room the aforesaid muskets are kept when not in use by the company.

It also appears that Marcus B. Desha, a son of the governor is reading law with G. M. Bibb and in part occupies said room where said arms are kept. Mr. Bibb married the daughter and Mr. Blair the step daughter of the late Gen. Scott.

The first week in November or the last in October last, Mr. Dallan, a young man who acted as deputy under Mr. Blair as clerk of the court of appeals, went to Capt. Bibb's room where said arms were, in the night, and told Capt. Bibb, Mr. Blair wanted some muskets, and Bibb loaned Dallan 12 or 14 muskets, which he carried to Blair's office, and they are yet there. Bibb did not see Blair that evening, but Blair has since informed him that he wanted said guns to defend his possession of the papers. It appears that the old court sat on Friday before the first Monday in November, and the Legislature commenced its sessions on the first Monday to November. On the 8th inst, and the next day after the old court made the aforesaid order to take the papers, Capt. Bibb loaded eighteen of said muskets with powder and buckshot and screwed on the bayonets. To those facts Capt. Bibb testified himself, but refused to state the objects of this loading and fixing the bayonets on said muskets. It appeared by other testimony, that Capt. Bibb had said that he had loaded said guns to resist the execution of the order of the old court.—That said guns were actually fired off at the time the H. R. adjourned on the 10th instant, within a short distance of the chamber where said body sat, as the members were passing out of the house.

Young Mr. Desha stated that he was present when the guns were loaded, and he supposed they were loaded for the purpose aforesaid; but he did not hear Capt. Bibb say so. He also stated, he had been spoken to by Mr. Blair to assist him in defending him in the possession of the aforesaid papers, and that he considered himself bound to have done so either against the order of the court or the house of representatives.

The proofs show that divers persons had either been requested to assist Mr. Blair in forcibly retaining the papers or had voluntarily agreed to do so.

It appears, that Mr. Blair had informed the Governor he intended to use force in the defence of his possession of said papers.

It appears, that the public records and papers have been for some considerable time past, removed from the office where Mr. Blair formerly kept them and secreted, so that the citizens who have suits in the appellate court cannot see their papers, obtain copies of their title papers, which are on record in said office, or ascertain any fact or facts which their interest may require.

They would here state that they are fully convinced, that Mr. Blair is not the constitutional clerk of the court of appeals. He however claims to be such. The laws and his oath require him to keep his office open, and his records ready to be inspected by any citizen who may require the same. A large portion of the evidence of the titles to lands are in his possession. There is a daily call for these papers, and for copies by persons from every part of the state, yet in defiance of all law and all right, the originals cannot be seen nor copies obtained.

The foregoing statements of facts cannot but make on the minds of your committee the strongest impression of the awful crisis at which the judicial controversy which agitates the country has arrived.

Heretofore party spirit and unwise legislation have sufficiently blighted the prosperity of the once most prosperous part of creation. Yet in all our struggles and divisions, reason, and not brutal force, was alone appealed to.

Judging from the declaration of his excellence in the canvass for his present station, whatever the people desired was to be the supreme law of his administration. The threats in his message for said popular will, as evinced at the late election, was on that account heard with the greater surprise. Still that his excellency would openly or indirectly attempt to execute his threat, or that he would connive at the fact that others were preparing to shed the blood of his fellow citizens, and that he would use no efforts to prevent it, was not believed.

Nay, your committee must say, that they had fondly cherished a belief that there was an officer, not pretended officer of this Government, that was ready to light up the torch of civil war and imbue his hands in the blood of a brother; yet unwilling as they were to believe the fact, they are constrained to report to you, that bold arrangements have been made for these very purposes. Your committee, therefore, recommends the following resolution.

Resolved, by the H. R. of the Commonwealth of Kentucky, that each and every citizen of this Commonwealth be advised and admonished to abstain from aiding and abetting F. P. Blair and his associates, in resisting or attempting to resist, the Sergeant of the Court of Appeals, in the execution of the order or process of said court, and all other attempts to execute commissions in the country, or to disturb the public peace and harmony.

The report and resolution having been read and the question being propounded on the adoption of the resolution, a debate ensued which took a wide range, and became highly animated, and in some instances harsh. Most of the members accustomed to address the house participated. The debate lasted till after candle light.

Mr. Tarlton moved to amend the resolution by adding the following:

Provided, however, That no citizen of the Commonwealth either in his official or private capacity, shall attempt by force to resume the papers now in the hands of F. P. Blair the clerk of the new court of appeals. Rejected 32 to 58.

The question then recurred on the original resolution, which was adopted by the following vote:

YEAS—Mr. Speaker, Messrs. Jas. Allen, Bainbridge, Blackburn, Breck, Breckenridge, Brown, Bruce, Brulon, Cosh, Cowan, Cox, Crittenden, Cunningham, Davis, Duke, Dunlap, Evans, Farmer, Ford, Gaines, Gibson, Gordon, Green, Grundy, Hansford, Hanson, Hardin, Harvey, Hutchinson, James, Lee, Logan, Marshall, Mays, M'Connell, Morris, Napier, New, Antall, Owens, Payne, Reed, Skyles, Slaughter, Stephens, Sterret, Street, Rich'd Taylor, Robt. Taylor, Z. Taylor, Timberlake, Thomasson, Turner, Underwood, Waddle, Walker, Watkins, Wilson, Wingate, Alex. White, Woodson, and Yantis—64.

NAYS—Messrs. J. J. Allen, Barbee, Chennault, Combs, Elliston, Fletcher, Fulton, Haskin, Lackey, Martin, Maupin, M'Clanahan, M'Comas, Miller, M'Millan, M. Mills, Perin, Saunders, Spalding, Tarlton, Thomas, Wade, Ward, Wilcoxen and Sam. White—25.

REPORT

Made in the House of Representatives, on the 15th December, by Mr. HARRIS, from the select committee, raised (in pursuance of resolutions offered by Mr. Gaines, and adopted on the 3d) to enquire whether the Court of Appeals had sustained, or had virtually decided against the occupant laws of this state; with the resolutions, which accompanied the Report, and were adopted by the House.

The select committee to which was referred a resolution, directing an inquiry to be made, whether the Court of Appeals, in obedience to the decision of the Supreme Court of the United States, has decided the occupying claimant law null and void, and a violation of the constitution of the United States and the compact made with Virginia, has had that subject under consideration, and has given to it that attention which the importance of the subject required, and respectfully report thereupon.

That an act was passed by the legislature of this state, on the 27th of February, 1797, entitled an act concerning occupying claimants of land. That the judges composing the Court of Appeals, did, whenever the question came before them, either directly or incidentally, recognize the validity of the act of 1797; the decisions to that point are numerous, and can be found in 1st Bibb, pages 62 and 118; 2d Bibb, 305; 3d Bibb, 103, 298, and 373.—The people of Kentucky, from experience, were satisfied that the occupying claimant law of 1797 fell far short of doing them justice, and afforded a very inadequate remedy for the mischiefs which, from time to time, the occupants had to suffer. Different attempts were made in the legislature to amend the occupant laws, which for several successive years were defeated; but the people persevered in their efforts, and on the 31st of January, 1812 an act was passed, entitled "an act to amend an act, entitled an act concerning occupying claimants of land." When that act passed, great doubts were entertained of its constitutionality; the ablest men in the state were divided in opinion, and the Governor refused to approve and sign it, because he believed the enactment of it was forbidden by the compact between Kentucky and Virginia.

In 1815, spring term, the case of Fowler against Halbert was brought before the Court of Appeals. Judges Boyle, Logan and Owsley, composed the

court. In this case, the constitutionality of the occupant laws was presented for the direct decision of the court. A great diversity of opinion existed amongst the members of the bar, as to what would be the decision—the court met the question full and fair, and decided in favour of the occupants and that the laws were constitutional; which decision is to be found in 4th Bibb, page 32.

The Court of Appeals, consisting of Boyle, Logan and Owsley, part of the time; and of Boyle, Owsley and Rowan, part; and of Boyle, Owsley & Mills, the residue of the time, has given a number of decisions since the case of Fowler and Halbert, in favor of occupants being paid for their improvements, under the occupant laws; which decisions can be found in 4th Bibb, pages 395, 461, and 512; 1st Marshall, pages 42, 187, 197, 364, 388, 246, 381, and 444. 2d Marshall, pages 25 and 485. 3d Marshall, pages 15, 39, 141, 202, 286 and 510. 1st Littell, 272. 2d Littell, 20, 86 and 289. 3d Littell, 447. 4th Littell, 315. 5th Littell, 20; 78, 157, and 305. Littell's select cases, 278. Monroe's reports, four cases, pages 36, 229, 149, and 264; and at the present term, in the case of Bodley against Gaither. The committee would here remark, that a number of these decisions were given since the decision of the Supreme Court of the United States, of Green and Buhle. This committee is well aware that the joint committee last session, raised for the purpose of inquiring into the conduct of the judges, has, in strong terms, intimated that the judges had, in effect, decided against the constitutionality of the occupant laws, and that the Governor, in his message at the present session, has insinuated the same thing; but the present committee invite the house and the people of Kentucky, to read the decisions here referred to, and decide who is right and who is wrong. The committee does not wish to be understood as casting any reflections upon the joint committee at the last session, or the Governor at the present; one has greatly mistaken the import of the decisions, and the other has been badly advised.

It has been asserted that the Court of Appeals will recognize the appellate jurisdiction of the Supreme Court of the United States, and consequently, that they will be obliged ultimately to submit to the doctrine contained in the case of Green and Biddle. If the Supreme Court has appellate jurisdiction, which is conceding all that is contended for yet the fault would not be in the judges, but in the forms of the two governments and their peculiar organization. But the committee has no hesitation in avowing the fact to be, that the Judges, Boyle, Owsley and Mills, have denied the appellate jurisdiction of the Supreme Court, in relation to our occupant laws. A reference is here made to their decisions since that time, and particularly the one of Bodley and Gaither. When the grounds are examined upon which the appellate jurisdiction of the Supreme Court is based, it will be found to be, that the compact with Virginia is a contract, and that a violation of contract is prohibited by the constitution of the United States. The doctrine of the Court of Appeals is, that the legal obligation of the contract, is the remedy which is a part thereof; now it is manifest that there is no legal remedy to enforce a contract between sovereign powers, and hence it is sometimes called a treaty, and sometimes a compact. The only arbiter between sovereign states is arms, which has never been considered a legal remedy. That this is the doctrine of the Court of Appeals, the committee refer to the case of Jackson vs. Winn, 4th Littell, 326, in which case it is expressly decided, that the compact with Virginia, is no contract within the constitution of the United States, because there is no legal remedy to enforce it.

That the Judges of the Court of Appeals to wit, Boyle, Owsley and Mills, instead of having manifested a spirit of hostility against the occupants, have in the opinion of some over suspicious persons displayed too much of a kindred feeling, and particularly towards them.

The Supreme Court of the United States, in the case of Green and Litter, reported in Cranch, and to be found in 3d Bibb, 64, decided, that a demandant in a writ of right, could maintain the action, without ever having had actual possession. After that decision was given, the case of Spend and Buford came on for hearing before the Court of Appeals, in which case the same point was involved. The court refused to acknowledge the decision of the Supreme Court as authority; and decided that the demandant in a writ of right could not maintain his action, unless he proved he once had actual possession of the land in controversy, which saved to the settlers and occupants their land, in all cases after twenty years possession. The case is to be found in 3d Bibb, page 57. The Federal Court of this state has decided against the constitutionality of the limitation of seven years, to actions for land; but our Court of Appeals, has, in the case of Slaughter and Kendall, to be found in 1st Marshall, page 376, decided in favor of the law, and that the same was constitutional. Great doubts were at one time entertained what would be the limitation to suits in chancery, upon adverse entries for land; whether it should be twenty or thirty years. The thirty years limitation had most advocates. When the question was brought before the Court of Appeals, in the case of Reed and Green vs. Bullock; Littell's select cases page 312, the court decided in favor of the limitation of twenty years. The Supreme Court of the United States, in the case of Green and Litter, above referred to, decided that a settler upon land, could not protect his possession, by showing a better title in a stranger, and that the person who sued him, did not own the land. The Court of Appeals, in the case of Colston and McVay, 1st Marshall, page 250, decided that an occupant could protect himself by showing a better title in any other person.

The committee has ascertained that the Court of Appeals, has in no one instance, in relation to the land claims of Kentucky, and the various suits which are brought to investigate the same, submitted to the decisions of the Supreme Court of the United States, but on the contrary, the Supreme Court has changed her decisions to conform to the opinions of the Court of Appeals, in the following particulars: First, the Supreme Court has conformed to the decision of the Court of Appeals, in relation to the limitation of twenty years, to a suit in chancery, upon adverse entries, in the case of Elmendorf vs. Taylor and others; and the court has also changed the doctrine laid down in Green and Litter; and in the case of Green and Lancaster, has decided that an occupant can set up the outstanding title of a stranger.

There is but one case, to wit, the Commonwealth vs. Morrison, decided by the Court of Appeals, which opinion was written by Judge Rowan, in which, the appellate jurisdiction of the Supreme Court is acknowledged. In that opinion the court decided that the act of Congress chartering the Bank of the United States, was unconstitutional; over which opinion, when it declared an act of Con-

gress void, the constitution of the United States gave the Supreme Court appellate jurisdiction.

Upon what authority the Governor, in his message said, that the Court of Appeals, composed of Judges Boyle, Owsley and Mills, was "a rate always ready to open at the summons of an enemy," this committee is at a loss to conjecture; for surely, such a heavy and grievous charge ought not to be made without some cause, and yet your committee is unable to find any.

The Governor in his message, has said that the new court, "is a tower of strength, to resist the encroachments of the Federal Judiciary." Your committee is unable to find any authority or decision of the new court, that would warrant this assertion.

In the case of Dougherty vs. Triplett, the court has strongly intimated an opinion, that the occupant cannot be paid for improvements made five years before the appointment of commissioners.—This decision destroys every beneficial effect of all our occupant laws and does not oppose "a tower of strength" to the doctrine laid down in the case of Green and Biddle. If the committee were to judge from the political life of the Chief Justice of that court, it would be authorized to draw a strong inference, that he was unfriendly to occupants in every point of view. The journals will show that he voted against the seven years limitation act. In 1809 he voted against a bill to amend the occupant laws. In 1820, he voted against another occupant bill. The committee can hardly believe that these votes of Mr. Barry, and the decision in the case of Dougherty and Triplett, above referred to, can be the certain indications given by the new court, to the governor, that that court will be "a tower of strength," and yet the committee can ascertain no other evidences furnished the Governor, to warrant him in making the assertion.

It is with great pain and anguish, that the committee has witnessed for some years past, the encroachments of the Federal Judiciary; and the committee does most solemnly protest against the invasion of that department of the government of the United States, upon the sovereign rights of Kentucky.—The committee denies the constitutional power of the Federal Judges, to make such rules as have been promulgated by that court; and they also deny the constitutional power of the Supreme Court to give a number of decisions lately pronounced by that tribunal, and particularly, the unwarrantable interference of the Supreme Court to the internal policy of Kentucky. But how, and in what manner, the Judges, Boyle, Owsley and Mills, are to be visited, scourged and punished for the sins of the Federal Judiciary, the Governor has not informed the legislature, unless broad and round assertions are taken for facts. Those Judges have neither aided or abetted the Federal Judiciary, in its decisions and rules, nor have they in any way or shape, recognized their obligatory effect.—The committee submit the following resolutions:

Resolved, That the Judges Boyle, Owsley and Mills, have, in the opinion of this house, uniformly sustained the constitutionality of the occupant law, and an assertion to the contrary, is unfounded in fact.

Resolved, That Judges Boyle, Owsley and Mills are not accountable, in any way, for the acts of the Federal Judiciary.

REPORT.

Of the Committee on the part of the Senate to confer in relation to the Court of Appeals.

The committee on the part of the Senate, raised under a joint resolution, to confer with a committee on the part of the House of Representatives in relation to the Court of Appeals, beg leave to report, that they submitted to the committee on the part of the House of Representatives the propositions contained in the papers marked A. & B. in answer to which they received the reply marked C. to which your committee returned the response marked D, which closed the conference.—They are pained to say, that their efforts have been unsuccessful.—They did hope that this disagreeable controversy would be ended by the exertions of the joint committee, without any sacrifice or compromise of principle on either part, and they solace themselves with the reflection that they have done every thing in their power to produce that end.

JAS. W. DENNY, Chm'n.
JOEL YANCY,
YOUNG EWING,
JOHN POPE,
ANDREW S. HUGHES,
JAMES ALLEN.

The committee on the part of the Senate raised to confer with the committee on the part of the House of Representatives in relation to the Court of Appeals offer the following propositions:

1st. The Appellate Court to be constituted on equal and reciprocal terms.

2d. All the individuals claiming to be judges of the Court of Appeals to yield their pretensions and a new Court to consist of four judges (without regard to party) to be formed as may be agreed on.

3d. Or two of the late Judges and two of the present Judges.

4th. Or (if the committee of the House of Representatives prefer it) six Judges to be appointed, the old Judges to be three of them, to receive new commissions with a salary of \$1000 per annum.

The committee of the House of Representatives may have choice of the above propositions, and in case of the acceptance of either, the reorganizing act of last session and the act regulating the salaries of the Judges of the Court of Appeals to be repealed, and in case of the acceptance of the fourth proposition, it will be provided by law that when the number of Judges shall be reduced by death, resignation or removal to three, the salary shall be \$1500, and the act of December 19th 1796 to be re-enacted, and all other laws in relation to the Court of Appeals in force prior to 24th December 1824, to be revived.

The foregoing propositions are made with a view of pointing out the several practicable means of restoring tranquility to the country; and for the purpose of making known to the committee on the part of the House of Representatives, the choice of the propositions that the committee of the Senate would themselves prefer the following bill is proposed.

(B.)

An act to amend the act establishing the Court of Appeals, and to repeal the act reorganizing a Court of Appeals, passed the 24th day of December 1824, and for other purposes.

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Court of Appeals shall hereafter consist of four Judges, who shall be commissioned according to law, any three of whom shall constitute a court, two of them shall be commissioned and called the Chief Justice of Kentucky and the others the 2d, 3d, and 4th Judges.

§ 2. That the act approved December 19th 1796

James Miller,
December 21st, 1825.



POET'S CORNER.

THE CALICO CAP.
FOR THE GAZETTE.
The Goddess of fashions be graces convened
On business of consequence great;
The dress of her daughters she wished to amend
By consent of her council of state.
Those counsellors grave, held earnest debate
On the ways and the means to entrap,
The Goddess approved of the choice they made
Of the Lafayette calico cap.

The veil, it was urged, the fair features obscured
From the sight of admirers and beaux;
Impatiently, too, had the lovers eudured
The veiling of beauty so close.
The veil was discarded by solemn decree,
But the corset still adds to the shape,
And beauty resplendent appears to the view,
Adorned with a calico cap.

Behold, now, the ladies of every age,
With those new fashion'd caps on their heads;
The widows admire them, and matrons so sage,
And lovely and beautiful maids—
The witty, the pretty, the needy and wise,
And the rich rear'd in luxury's lap;
The gay, and the cheerful, each class & each size
Wear the neat little calico cap.

So exquisitely lovely, the girls were before,
They needed no aid from the graces;
Now lovers, poor lovers, their rates may deplore
So transcendently fair are their faces.
The Goddess of fashion her mandate should add,
(Those lovers to guard 'gainst mishap.)
That no beautiful damsel or false-hearted maid
Should wear the neat calico cap.

**LA MOTTS
COUGH DROPS.**

Important Medicine for Coughs and Consumptions.

THIS Elixir is not offered to the public as infallible, and a rival to all others, but as possessing virtues peculiarly adapted to the present prevailing disorders of the chest and lungs, leading to consumption. A timely use of these drops may be considered a certain cure in most cases of Croup, Colds, Coughs, Influenza, Whooping Cough, Pain in the Side, Difficulty of Breathing, Want of Sleep, arising from debility; and in Spasmodic Asthma it is singularly efficacious. A particular attention to the directions accompanying each bottle is necessary.

The following certificates from respectable gentlemen, physicians and surgeons, are submitted, to show that this composition is one which enlightened men are disposed to regard as efficacious and worthy of public patronage.

Having examined the composition of Mr. Crosby's improvement upon

La Mott's Cough Drops.
we have no hesitation in recommending them to the public, as being well adapted to those cases of disease for which he recommends it.

Doct's. Jonathan Dorr, dated Albany, Dec. 4, 1824: James Post, of White-Creek, February, 14th, 1825: Watson Sumner and John Webb, M. D. of Cambridge, Feb. 20th, 1825: Solomon Dean, of Jackson, Jan. 20th, 1825.

Mr. J. Crosby—I am pleased with this opportunity of relating a few facts, which may serve in commendation of your excellent Cough Drops. For ten years I was afflicted with a pulmonary complaint; my cough was severe my appetite weak and my strength failing. I used many popular medicines, but only found temporary relief, until by a continued use of your valuable drops, I have been blessed with such perfect health as to render further means unnecessary.

Rev EBENEZER HARRIS.
Salem [N. Y.] January 12th, 1825.
Prepared by A. CROSBY, sole proprietor, Cambridge [N. Y.] whose signature will be affixed in his own hand writing to each bill of directions. Be particular that each bottle is enveloped in a stero or check label, which is struck on the same bill with the directions.

Sold wholesale and retail, by Dr. G. DAWSON Pittsburgh—J. CRAMBECKER, Wheeling—P. M. WEDDELD, Druggist, Cleveland—O & S. CROSBY, Druggists Columbus—GOODWIN, ASHTON & Co. M. WOLF & Co. A. FAIRCHILD, Druggists Cincinnati—BYERS and BUTLER, D. WILSON, Druggists Louisville—and retail by J. D. THOMAS, Winchester Ky and at the

Drug Store of James Graves,
Lexington, Ky.
Each bottle contains 45 doses; Price One Dollar single; nine Dollars per doz.
May 25th 1825.—1 year.

Washington Hall.
ASA WILGUS,
HAS removed from his old stand in Russellville, to the well known and large commodious buildings where Amos Edwards formerly kept a Public House in said town, where he will keep a public house for the entertainment of those who choose to call on him, on the most moderate terms. His Table, Barr, and Stable, shall be well furnished and attended to.
Nov. 5th, 1825.—50-3m

RANAWAY.
FROM—JOHN MARSHAL in Jessamine County the latter part of October 23d, a negro man named

HARRY,
he is a tall raw boned man about six feet high, the hair grows quite low on his head road teeth, and the little toe on one of his feet, and probably the right one—has been burnt off when he was a child. He had on when he went off a white linen roundabout under a brown filled cloth coat, and pantaloons but no doubt he has now got other clothing, that suits the season better. Any person who will apprehend said negro either in or out of this state and deliver him to the subscriber in Jessamine County or secure him in any jail so that I get him shall be liberally rewarded by

JOHN MARSHAL
December 23d 1825.—3*

JOB PRINTING
Of every description neatly executed here

LAW NOTICE.
JAMES SHANNON, Late of Wheeling, Pa. WILL practice law in the Circuit and County Court of Fayette, and the Circuit Courts of Barren and Jessamine. All business entrusted to him will receive prompt attention. His office is on Shot Street. Lex Dec 20, 1824.—25-4t.

LAW NOTICE.
Robert J. Breckinridge, ATTORNEY & COUNSELLOR AT LAW, WILL ATTEND THE FAYETTE CIRCUIT AND COUNTY COURTS. Lexington, April 6, 1824.—15-4t.

Lexington Brewery.
THE subscribers having rented the above establishment for a term of years, will be ready in a few days to supply this Town and the neighboring Towns with

Porter, Beer and Ale,
of superior quality and at reduced prices; orders from the country directed to the BREWERY through the Post-office will be attended to.

CASH paid for Barley on Delivery
—ALSO—
Fifty cords of good wood wanted
MONTMOLIN & DONOHOO.
October 20, 1825.—42-4t.
N. B. All letters must be post paid.

**LEXINGTON
HOPE FOUNDRY.**

Will. H. Delph
HAS commenced the above business in all its branches, opposite the upper end of the Upper Market, where he is ready to make all kinds of

Brass & Iron Castings
On the shortest notice, and on the most reasonable terms. CASH will be given for OLD COPPER, BRASS, PEARL, and IRON. Lexington, Oct. 14, 1825.—41-1y

CASTINGS, FOUNDRY, AND

Grocery Store.
FRESH TEAS.

Joseph Bruen,
MAIN STREET,
HAS just received the following GOODS, viz:

SHOES FOR CHILDREN, pegged and not pegged;
From Philadelphia, a complete assortment of

GARDEN SEEDS,
—ALSO—
GROCERIES.

TEA,	RICE,	MUSTARD,
COFFEE,	PEPPER,	INDIGO,
SUGAR,	ALSPICE,	STARCH,
CHOCOLATE,	HONEY,	CHEESE,
RAISINS,	CINNAMON,	SOAP,
FIGS,	SALTS,	CANDLES,

Spanish and Corona CIGARS, TOBACCO, Spermaceti OIL for LAMPS, London Madeira, in Bottles, Sherry Wine, Domestic Wine, Cherry Brandy, two kinds, French Brandy, RUM, Old Peach Brandy, Old Whisky, Cordials, in bottles & by the gallon.

LIQUID BLACKING,
In boxes
do
RIZOR PASTE.

N. B. For the convenience of many, he keeps Coffee ready roasted (in the Patent Cylinder,) also, best Pepper and Spice, ready ground. He hopes that the Coffee thus burnt will prove excellent, and far superior to any other, by those who will try it.
There will be a separate list of his Garden Seeds.
JOSEPH BRUEN.
Lexington, Nov. 23, 1825.—48 4t

KENTUCKY.
Madison Circuit Ct. September Term 1825.

Green Clay Complainant
Against
Lawrence Long's heirs &c. Def'ts. } In Chancery.

On the motion of the complainant, affidavit being filed by said complainant as to the unknown heirs of John Long deceased, and it appearing to the satisfaction of the court that the defendants J. Long Richard Cook and Sally his wife late Sally Long Lall Bacon and Nancy his wife late Nancy Long, Gabriel Long William Long, Nicholas Long and the unknown heirs of John Long deceased, heirs and devisees of Lawrence Long dec. are no inhabitants of this Commonwealth, and they having failed to enter their appearance herein agreeably to law and the rules of this Court—It is ordered that unless said absent defendants do appear here on or before the first day of our next February Chancery Term and file their answers to the complainant's bill, that the same will be taken for confessed against them, and it is further ordered that a copy of his order be inserted in some authorized newspaper printed in this state for two months successively, and the cause is continued until the next court.

A Copy Test
45 9w
Sept. 19, 1825.—45-9w
DAVID IRVINE Clk. M. C. C.

State of Kentucky,
Madison Circuit Ct. September Term, 1825.

Green Clay Complainant,
against
Samuel Estil & others. Def'ts. } In Chancery.

On the motion of the Complainant, and it appearing to the satisfaction of the court that the Defendants George Tolson and Ann his wife, James Brown John Blanchard and Charles Lee, Richard Henry Lee, Arthur A. Lee James Acklin and Michael his wife, Edmund P. Lee, Baldwin M. Lee, Christopher Acklin and Sarah G. his wife, Abner Laster and Catherine his wife, William J. Grills and Elizabeth his wife, Alexander Acklin and Mary Ann his wife and John Lee, are no inhabitants of this Commonwealth, and they having failed to enter their appearance herein, greatly to law and the rules of this court; It is ordered that unless said absent defendants do appear here on or before the 1st day of our next February Chancery Term, and file their answers herein to the Complainant's bill and amended bills that the same will be taken for confessed against them, and it is further ordered, that a copy of this order be inserted in some authorized newspaper printed in this state for two months successively. And the cause is continued until the next court.

A Copy Test.
DAVID IRVINE, Clk. M. C. C.
Sept. 19, 1825.—45-9w

Soap Grease and Ashes.
I WISH to purchase a quantity of SOAP GREASE AND ASHES, for which a fair price will be paid in cash.
SAMUEL COOLIDGE.
Lexington July 27th 1825.—20-4t

A CARD.
Abram S. & Elijah H. Drake.
TAILORS.

WOULD inform their friends and the public generally, that they have associated themselves together in business, and have made a permanent arrangement with one of the most fashionable and celebrated Shops in Philadelphia, to furnish them with every change of fashions, immediately on their arrival from London. They pledge themselves, with confidence, to all who may please to favor them with their orders, that their work shall be executed in the most neat and tasty style. They have on hand for Sale a few pieces of

CLOTH & CASSIMERE,
low for Cash, and also a few sets of SPRINGS for gentlemen's riding Pantaloons, &c. Their shop is kept in Main Street, a few doors below Mrs. Keen's Inn. Ladies and Gentlemen please call and see us.

ELIJAH H. DRAKE,
Has just returned from Philadelphia and New York, where he has spent upwards of twelve months in the best shops in those Cities, for the express purpose of obtaining a perfect knowledge of the most modern and improved modes of CUTTING and MAKING all kinds of garments for gentlemen in his line; and also, LADIES' RIDING DRESSES and FRILLS. He has brought with him from Mr. Watson's Shop, Philadelphia, a new Suit, made in the most splendid and fashionable style.
Lexington, July 22, 1825.—29-6m

MARNIX VIRDEN,
RESPECTFULLY informs his friends in Lexington, as well as visiting strangers, that he has provided himself with

A COMPLETE HACK.
And strong gentle horses, and is now ready to accommodate such as may please, to favor him with their trust. He intends driving his self, and from more than four years experience in driving in Lexington, is full confident that his character as a safe and careful driver has been so well established, as to insure him a full share of public patronage. His residence is in Mill street, near the Lexington Steam Mill, where those who wish his services will please apply.
Lexington, July 29th, 1825.—30-4t.

Journeyman Blacksmiths.
I will give liberal wages to a few journeymen, well acquainted with the Blacksmith's business, and who can come well recommended.
JOHN EADS.
Lexington March 24, 1825.—12-4t

FOR SALE.
A LOT in the town of Lexington, with convenient BRICK BUILDINGS in a pleasant part of the town, suitable for a private family which can be had on good terms. For further particulars enquire of the Rev Adam Rankin in Lexington, or to the subscriber living on the road near the late residence of Col. Wm. Russell.
Sept. 30, 1825.—39—4t.
SAMUEL RANKIN.

Transylvania University.
Medical Department.
THE Introductory Lectures will commence on Monday next, in the Chapel of the University, at 12 o'clock, and will be continued throughout the week at the same hour. The friends of Science are respectfully invited.
DR. DUDLEY, on Monday.
DR. CALDWELL, on Tuesday.
DR. DRAKE on Wednesday.
DR. RICHARDSON, on Thursday.
DR. BLYTHE, on Friday.
DR. SHORT, on Saturday.
DANL. DRAKE, M. D. Dean.
Oct 31, 1825.—44-4t.

CABINET WAREHOUSE.
THE Subscribers having united in carrying on the Cabinet Business, under the firm of

WILSON & HENRY,
Take this opportunity of informing the public, that they occupy the same stand for so many years in possession of Robert Wilson. His Shop has been rebuilt, and is well stocked with tools and workmen of the best kind. The firm has laid in an excellent stock of MAHOGANY, as well as every other material necessary for their business, and they can safely say, that they are prepared to execute with neatness and dispatch, any order in their line.

They will in a short time, have a large assortment of Sideboards, Bureaus, Bedsteads &c. finished, and will be glad to see their friends call and examine for themselves.
Mattresses,
Made at the shortest notice, and in superior style.
ROBERT WILSON,
JOHN HENRY.
Lexington, Sept. 1st, 1825.—34-4t

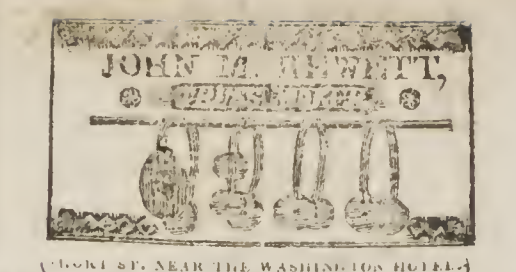
GREENVILLE SPRINGS.
The undersigned has taken the Celebrated Watering Place called THE GREENVILLE SPRINGS, near Harrodsburg, Ky., and has put them in complete order for the reception of Visitors.

The prices of Boarding &c. will be on moderate terms:
THOMAS Q. ROBERTS.
May 2, 1825.—19—4t.

\$50 REWARD.
I Will give the above reward in notes of the Commonwealth's Bank, for the apprehension and conviction of the person, who broke into my store-room in the town of Versailles, on the night of the thirteenth inst and took out of my money drawer about two hundred dollars, principally in tickets issued by the subscriber, the greater portion of which were seventy-five and sixty two and a half cents notes. Persons holding tickets for the above sums are requested to bring them in and exchange them for other tickets, or to receive the common gold notes for them. The public are desired to observe particularly of whom they receive tickets of the above denomination issued by

DANIEL PRICE
Versailles Ky Jan 20 1825.—3-4t

LAW NOTICE.
J. M. McCalla and J. O. Harrison,
HAVE united in the practice of the law, in the Fayette and Jessamine counties. Their office is kept at the corner of short and upper streets, opposite the public square, in the room lately occupied by Dr. Watling; where one or both may at all times be found.
Lexington Dec 8, 1825.—42-4t.



JOHN M. BENNETT,
TAILOR.

BOOK ST. NEAR THE WASHINGTON HOTEL.
I Snow manufacturing and keeps constantly on hand TRUSSELS for all kinds of natures, viz:
The common Steel, with & without the racket wheel, The newly invented and much approved double-headed Steel,
The Morocco Nonelastic Band with spring pad, and Trusses for children's fall legs,
Gentlemen's best Morocco, Buckskin, Calf-skin, and Russia Dressing Riding Girdles, with and without springs, and with private pockets,
Ladies', Gentlemen's, and Misses' Pack Stays, to relieve pains in the breast,
Double and single Morocco Suspenders with rollers Female Bandages, &c. &c.
All of which will be sold by wholesale or retail.

The Tailoring Business,
In its various branches, continued as usual.
Lexington, May 5, 1825.—18-4t

For Sale,
145
ACRES OF FIRST RATE LANDS;

One mile and a half from Lexington on the Frankfort road, nearly one half is timbered land, the balance is in a good state of cultivation; a frame house and Orchard, and one of the best springs in Fayette county, and an indisputable title. The above land being the property of William L. McConnell dec'd, and is now offered for sale low for CASH by the heirs of said dec'd. For further particulars enquire of the subscriber in Lexington, and the terms will be made known by him and the land shown, &c.
GEORGE ROBINSON.
Lex. April 1, 1824.—14-4t.

For Sale,
A SMALL FARM OF 30 ACRES
In the immediate neighbourhood of LEXINGTON.

THERE are on it comfortable buildings for two families if necessary—good water—meadows & orchards,—under good fence—and sufficiency of wood land. Terms can be made very favourable.
Apply to **CHARLES WILKINS,** or Col. JAMES TROTTER.
Lex. Aug. 1, 1824.—73-4t

WHISKEY.
WHISKEY of a superior quality for sale by the barrel, by **DAVID MCGOWAN.**
Upper end of the upper marketplace.
Lexington, May 16th, 1824.—20-4t

NEW GOODS.
The subscriber is receiving and opening an elegant assortment of

SPRING AND SUMMER GOODS,
ENGLISH, FRENCH, INDIAN & DOMESTIC.
He has extra superior BLUE and BLACK CLOTHS & CASSIMERES—Floored paper for rooms—Holding Cloths—Lephoro Bonnets—Olive Oil, in canisters for Machinery, &c. His good will be disposed of on reasonable terms.
To those purchasing to sell again can offer inducements.
JOHN TILFORD.
Lexington, April 11, 1825.—15—4t

P. S. Whiskey by the barrel—Powder by the keg, from the Union Mills, for sale. J. T.

REMOVAL.
THE Subscriber has removed his

SMITH SHOP to the Corner of Upper Street, between the Episcopal and Methodist Churches, where he carries on the

WHITESMITH BUSINESS
in its various branches, viz. Scale Beams and Steel-yards made and repaired. The Iron work for all sorts of Machinery, Hearth Irons almost always on hand for sale. Locks repaired &c. &c.

He tenders his thanks to his former friends, and assures them and the public that no pains shall be spared to make them well satisfied both in quality & price of the work done at his shop.
Horse Shoeing and other kinds of Blacksmith Work is done at his Shop at the customary prices.
THOMAS STUDMAN.
N. B. Two or three hands will be taken to learn the trade.
Feb. 10, 1825.—6-4t.

COTTON.
A FEW Bales of Alabama Cotton of the first pick, for sale—also—lith proof & Common proof

WHISKEY,
from the Union Mills—on reasonable terms.
JOHN BRAND.
Lex. Nov. 10 1825.—45-4t.

Queensware & China.
JAMES HAMILTON,
MAIN STREET.

HAS imported direct from Liverpool a large and extensive assortment of Queensware and China ware selected with care expressly for this market, containing

Blue Printed Dining Ware new and elegant patterns, do. do. Tea do. do. do. Plates Tawlers & Mottos, do. Oval Dishes, do. Covered do. very handsome, do. Soup Tureens do. Sauce do. do. Bakers and Nappies, do. Mugs and Pitchers, do. Bowls, Basins and Tapers, do. Teapots, Sugar-balls & Creams, do. Coffee Pans and Saucepans, do. Tea cups and Saucers, &c. &c. Gold Band Teapots, some very handsome, Enamelled colored and C. C. ware of every description which will be sold whole sale or retail, at a very small advance for cash.
CASH will be given for a few tons of
HEMP.
Lexington, May 12, 1825.—19-4t.